

JOHN T. GORMAN  
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Attorney for Defendant  
BRIAN WILLIAM ELM

RECEIVED  
U.S. Probation Office

JUN 9 8 2005

Districts of Guam  
and NMH

**FILED**  
DISTRICT COURT OF GUAM

JUN - 6 2005

MARY L.M. MORAN  
CLERK OF COURT

(11)

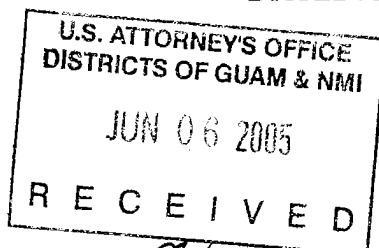
IN THE UNITED STATES DISTRICT COURT


FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,	)	CR 05-00021
	)	
Plaintiff,	)	MOTION TO SCHEDULE CHANGE OF
	)	PLEA HEARING AND VACATE TRIAL
vs.	)	DATE; CERTIFICATE OF SERVICE
	)	
BRIAN WILLIAM ELM,	)	
	)	
Defendant.	)	
_____	)	

COMES NOW the defendant, BRIAN WILLIAM ELM, through counsel, John T. Gorman, Federal Public Defender, and moves this Honorable Court to schedule a time for defendant's change of plea from not guilty to guilty and to vacate the trial date currently scheduled for June 13, 2005. There is no written plea agreement in this case. Defendant requests a date after June 8, 2005, as defense counsel will off-island for business from May 30 - June 8, 2005.

DATED: Mongmong, Guam, June 6, 2005.



  
JOHN T. GORMAN  
Attorney for Defendant  
BRIAN WILLIAM ELM

**ORIGINAL**

**CERTIFICATE OF SERVICE**

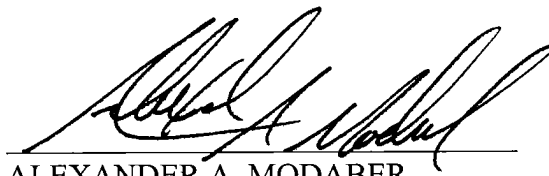
I, ALEXANDER A. MODABER, hereby certify that a true and exact copy of the foregoing document was duly mailed and/or hand-delivered to the following on June 6, 2005:

RUSSELL C. STODDARD  
Assistant United States Attorney  
Sirena Plaza  
108 Hernan Cortez, Ste. 500  
Hagatna, Guam 96910

Attorney for Plaintiff  
UNITED STATES OF AMERICA

F. MICHAEL CRUZ  
Chief U.S. Probation Officer  
U.S. Probation Office  
Districts of Guam and NMI  
2<sup>nd</sup> Floor, U.S. District Court

DATED: Mongmong, Guam, June 6, 2005.

A handwritten signature in black ink, appearing to read 'Alexander A. Modaber', is written over a horizontal line.

ALEXANDER A. MODABER  
Investigator

JOHN T. GORMAN  
Attorney for Defendant  
BRIAN WILLIAM ELM